

MEETING 37 October 9

At a Regular Meeting of the Madison County Board of Supervisors on
October 9, 2007 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman
James L. Arrington, Vice-Chairman
Bob Miller, Member
Clark Powers, Member
V. R. Shackelford, III, County Attorney.
Lisa R. Kelley, County Administrator
Jacqueline S. Frye, Secretary

ABSENT: William L. Crigler, Member

Chairman, Eddie Dean called the meeting to order and announced that William L. Crigler will be absent from today's meeting.

Chairman, Eddie Dean stated the first item of discussion will involve a special report provided by Dwayne Dixon, Sanitarian of the Madison Health Department.

IN RE: MADISON HEALTH DEPARTMENT

Dwayne Dixon, Sanitarian, provided an update concerning an incident during the past week that involved a feral cat. He stated a citizen reported that a cat attacked a house dog and subsequently, the owner of the dog. He stated that every cat he has tested in the past 22 years of service with the Madison Health Department that behaved in such a manner tested positive for rabies.

Dwayne Dixon advised the issue at hand with this incident is the fact there are several known populations of feral cats in the area in which the cat was found; he also stated that feral cats are "wild strays." He stated one of these populations was initiated by a lady who loved cats and took in stray cats and fed them; however, over a course of time, she was unable to care for the cats and the situation became problematic and she was ordered not to have any cats on her premises. He stated many of those cats were trapped as possible and were adopted out; however, he stated there are still many cats hanging around a neighboring property. Additionally, he advised that trappings of the cats were initiated for about (2) weeks and (48) cats have been caught thus far. He stated a similar situation was also discovered in northern Warrenton, Virginia and within a one-week period, there were (58) cats caught and the number continues to increase.

Dwayne Dixon advised the cats that are being trapped are being put down; he further advised he went from door-to-door to residences off Fishback Road to deliver a letter explaining why the determined course of action was being undertaken and if anyone was at home during the visits, he stated he discussed with the individual(s) there was no way to identify whether a cat was a stray or someone's house pet; therefore, he advised individuals to contact the Madison Health Department to attain a collar or to keep their pets at home over the next couple of weeks.

Dwayne Dixon stated in unvaccinated, domesticated animals, rabies could show up within about six (6) months.

James L. Arrington asked if the cat suspected of being contaminated was tested, which Dwayne Dixon stated it was.

Dwayne Dixon stated the neighbor reported seeing a cat attack another owner's small house dog during a two (2) hour period; when the couple returned home, the cat attacked the dog again and was knocked off the dog by the wife by using her purse; the cat then ran beneath the vehicle and reappeared to attack the husband – the animal tested positive for rabies and was put down.

Chairman, Eddie Dean thanked Dwayne Dixon for the report and also for handling the situation as indicated.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Donald Gore, Resident Engineer introduced Mr. Quintin Elliott, Acting District Administrator while Mortezi Salehi serves as the Acting District Administrator in the Northern Virginia region; he advised that Mr. Elliott comes from the Central office of the Virginia Department of Transportation in the Asset Management Group. He further stated Mr. Elliott has expertise in policy making and he will now have the opportunity to see how things are going in the field and hopes to offer his expertise in that area.

Donald Gore then provided the County agreement on Route 702 to Lisa Kelley, County Administrator – he also stated he will continue to work with her on this project; mowing of primary roadways has been completed for the year ; secondary mowing projects should be completed during this week; also advised input on the traffic light at Shelby and advised the request verbalized by the Madison County Board of Supervisors during the last month has been forwarded to personnel in the Traffic

Operations Division for design purposes – nothing has been received to date; he advised brush is still being cut along the roadway and removal of overhanging; he advised paving has not begun in Madison to date; however, he has conversed with the contractor today and this should be completed by November 14, 2007 in the areas of Madison Culpeper and Orange.

Donald Gore advised the public hearing for the Six Year Road Improvement Plan will be handled different than in the past due to complaints verbalized in the past as a result of the plan already being in place without citizens having the opportunity to provide input for consideration. As a result of past concerns, the Virginia Department of Transportation will have a public hearing in November, December or January and gather input from the public pertaining to their concerns about roadways on the Six Year Road Improvement Plan – he then suggested a work session be held with the Board when the Budget is being presented for the upcoming year.

James L. Arrington asked about the upcoming meeting on November 1, 2007 at the Culpeper Residency Office of the Virginia Department of Transportation.

Donald Gore advised the meeting will discuss primary concerns.

Chairman, Eddie Dean commended Donald Gore on the changes that will be initiated with the Six Year Road Improvement Plan and feels this will be much more effective.

Donald Gore stated either he or Roy Tate will attend the Public Hearing to answer any questions and/or concerns.

Chairman, Eddie Dean welcomed Mr. Quintin Elliott to Madison County and stated the Board has had a very good relationship with representatives from the Virginia Department of Transportation; he also advised there has been a great deal of changed noted in the operations of the Department in the County with the current Superintendent soon to be retiring.

In closing, Chairman, Eddie Dean advised Mr. Elliott to feel free to visit the Madison County Board of Supervisors at any time.

Chairman, Eddie Dean asked if the County agreement presented tonight will be sufficient in moving forward with this project (Larkins Mill – Rt. 702) prior to the deadline date.

Lisa Kelley, County Administrator, advised the project is being worked on; a call has been received to provide power at the site and relocating utilities – compacting will be initiated and an environmental clearance has been attained.

Donald Gore advised representatives from the Virginia Department of Transportation will continue to work with Lisa Kelley, County Administrator through the completion of the project.

IN RE: PAYROLL & CLAIMS

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented.

Teresa Miller, Finance Director advised the first application from Crenshaw Construction was received during the month.

James L. Arrington asked if the assessors had completed their job.

Teresa Miller advised that she checked on the reassessment and nothing has been received to date; she also stated there have been some issues related to the software program being utilized through RDA.

After discussion, on motion of James L. Arrington, seconded by Bob Miller, the warrants issued in satisfaction of payroll for September 2007 (Checks #30110200 through #3011205 and electronic transfer #3) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by Bob Miller, the warrants issued in satisfaction of claims against the County for September 2007 (Checks #10125994 through #10126163) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

IN RE: SUPPLEMENTAL APPROPRIATIONS FOR OCTOBER 2007

Chairman, Eddie Dean stated the following supplemental appropriations for October 2007 need to be approved by the Board.

1.	Park & Recreation #5690-71100	Funds deposited for Youth Sports	\$ 1,505.00
2.	Volunteer Fire #5641-3220	Additional Monies received from State for Fire Program	\$ 2,450.00
3.	Rapp. Juvenile Ctr. #3830-33402	2006-2007 True Up	\$33,726.43
4.	Main Street Project #5895-81200	Monies to balance and pay for upcoming expenditures	\$50,000.00
5.	School Request	Teaching America History	\$ 1,000.00
6.	School Request	Title III Grant	\$ 1,611.22

TOTAL: \$90,292.65

Chairman, Eddie Dean advised the Board had been informed about the True-Up payment but the amount was uncertain prior to tonight's meeting. He also advised the supplemental appropriations for the Madison County School system is for grant funding that has already been received.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the aforementioned supplemental appropriations for October 2007 totaling \$90,292.65, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

IN RE: MADISON COUNTY SCHOOLS

Dr. Brenda Tanner, Superintendent, was present that all County school are now fully accredited and the first six weeks grading period is coming to a close – system wide telephone calls were made to make parents and guardians aware of the upcoming parent-teacher conferences scheduled for the first six weeks; County school system is in the process of kicking off the United Way Campaign; thanked Ross Shifflett for attending last evenings meeting to present a draft on the easement for use of the well at the

Madison Primary School as this was helpful in assisting the School Board in their plans to approve the draft during the November 2007 meeting; advised that all County schools have been notified they are fully accredited by the Virginia Department of Education – all are proud of the accomplishments made by each County school.

Dr. Tanner also advised an auction of surplus property will be held on November 3, 2007 – plans to get with Erik Weaver, Sheriff to see if he has any vehicles to be included for auction; also advised training on the RDA system will begin in the school system during the upcoming week for several days and several office personnel will be involved in that venture. She also provided information regarding Mr. Miller's request concerning the number of students in 2007 that took the SAT tests:

2007 58% (78 out of 138 graduates)

2006 61% (81 out of 141 graduates)

Dr. Tanner advised this information is attained from the Virginia College Board as students now have the capability of going online to register instead of only being able to register in the Guidance Office. She advised although the school keeps numbers for those students who register with the Guidance Office, the Virginia College Boards provides totals and denotes school codes as reference.

Bob Miller asked about the CIP (Capital Improvement Plan) the School Board members are working on and how this report was progressing.

Dr. Tanner advised a copy of the aforementioned report has been forwarded to Lisa Kelley, County Administrator this afternoon; she advised that an architectural company came to Madison and prepared an analysis on the Madison County High School; in lieu of the findings, the Madison County School Board has requested that a meeting take place along with the Madison County Board of Supervisors to review the entire document; therefore, the entire document has been forwarded as this will be the basis for the entire plan. She stated the School Board members have requested a joint meeting which will also include the architect being present to answer any questions regarding the most expensive work that will be required during the next five (5) years.

Bob Miller wanted to clarify that a copy of the analysis has been forwarded from an architecture/engineering personnel, but does not include a copy of the

CIP (Capital Improvement Plan) that has been completed by the Madison County School Board.

Dr. Tanner stated the document that has been forwarded this afternoon is the basis for the School Board's CIP (Capital Improvement Plan).

Bob Miller asked if the report contained any monetary figures, to which Dr. Tanner stated "it does not."

Dr. Tanner stated the Madison School Board has requested a joint meeting with the Madison County Board of Supervisors to review the document and take the necessary steps to discuss this venture which will be very expensive; she further stated it is anticipated that before any dollar figures are established, it will be best to determine a basis for understanding some of the work that has been recommended.

Bob Miller asked if the Madison County School Board has completed any prioritization with the report, to which Dr. Tanner stated "they have" and they have also participated in the review of the documentation being presented.

Dr. Tanner further stated the Madison County School Board deems the recommended work to be so expensive that they requested a joint meeting to perform further review.

Dr. Tanner stated the Madison County School Board did not have the analysis during the last meeting; however, the architect was present and explained the document page by page; therefore, it is recommended the same occur with the Madison County Board of Supervisors in a joint meeting; however, she stated she fully understands the Madison County Board of Supervisors' desire to review the documentation prior to discussion. She also advised in some instances, there are dual recommendations contained in the analysis.

Bob Miller asked if the report only covered the Madison County High School.

Dr. Tanner advised the report will also cover recommendations for the Wetsel Middle School and Madison County High School since these two (2) areas have been identified as having the greatest need, in particular the high school.

Bob Miller asked if the architectural firm looked at any of the other County schools, to which Dr. Tanner advised the architectural firm "did not."

Chairman, Eddie Dean stated the members of the Madison County Board of Supervisors will review the documentation as provided and contact Dr. Tanner with a proposed meeting date.

IN RE: MADISON FACILITIES & MAINTENANCE

Ross, Shifflett, Director of Facilities & Maintenance, provided an overview of the months activities; he stated no invoicing has been received during the month from USA Waste Management Facilities so this data is incomplete at this time; he stated the drought conditions are affecting efforts to re-seed designated areas; he also advised that October is “free brush” month at the Madison Transfer Station for Madison homeowners.

Ross Shifflett thanked staff at the Madison Transfer Station and the Madison Animal Shelter for their efforts on promoting the first open house at these facilities; he advised that William L. Crigler did visit the locations.

James L. Arrington asked about the Madison Animal Shelter and whether the (42) cats that were euthanized included the cats that Dwayne Dixon was speaking of earlier.

Ross Shifflett stated he was certain thus was a crossover figure that included the cats brought in by Animal Control Officers and staff associated with the trapping of the feral cats in the County; he also stated it is anticipated that through the assistance of public health representatives, cats from other localities this was correct and that not all the cats were brought in by Animal Control Officers; he also stated that cats retrieved from the quarantined area in Madison County will be euthanized.

Ross Shifflett stated as a result of the efforts demonstrated by public health emergency personnel, cats brought in from non-quarantined parts of Madison County will be healthy enough to be adopted out. In closing, he stated the existing matter is very serious and the population of feral cats has increased within Madison County.

In closing, Ross Shifflett advised there was an incident some years back involving a skunk in the vicinity of Shiffletts Corner in Madison County when the skunk tested positive for rabies – the skunk came in contact with some dogs owned by an individual and the area was quarantined; he stated there is generally a certain percentage

of rabies incidents to deal with; however, the situation can become tremendous if not taken care of in a timely manner. He thanked Dwayne Dixon for making the citizens of Madison County aware of the recent incident and also thanked other County personnel (i.e. Sheriff's Office) for their assistance with this issue.

James L. Arrington asked about the cost to have an animal euthanized.

Erik Weaver, Sheriff, advised the cost can range from \$30.00 to \$50.00 for each case.

Clark Powers verbalized concerns about an area in Banco where a small trash pile has grown to a significant dumping site.

Ross Shifflett stated this appears to have become a zoning issue whereas materials have been dumped at the site; he will get with V. R. Shackelford, III, County Attorney to discuss these concerns.

IN RE: DEPARTMENT OF SOCIAL SERVICES

Nan Coppedge, Director of Social Services, provided an annual expenditure report for her department along with an overview of funding criteria for her department and spending/reimbursement guidelines; she advised that a Diabetes Health Fair will be held next Tuesday at 5:30 p.m.

James L. Arrington asked how discussions on the Boys & Girls Club were going.

Nan Coppedge stated things are progressing right along; pledges have been made of over \$300,000.00 – fundraising events were initiated on September 1, 2007; she thanked all who have made contributions to the cause.

IN RE: MADISON CHAMBER OF COMMERCE

Tracey Williams, Tourism Coordinator, advised there as one (1) new member to the Chamber during the month; still attending Boys & Girls Club meetings; plans are underway for the Chamber's annual banquet to be held Monday, November 19, 2007 at the Madison Firehall; visitor's center had (148) visitors in September - website had (4,413) hits since last month; included Travel Impact reports from the Virginia Tourism Corporation; plans are underway for the Christmas Tree Lighting & Parade – tree lighting will be at 9:00 a.m. at the War Memorial Building with parade to follow at 10:00 a.m. – Greenscapes will have an Open House afterwards; will also be meeting with

Karen Herzog of the Shenandoah National Park to develop a closer partnership; advised the ready reference has County office telephone numbers included and will be updated shortly. In closing, she also advised the website will contain updated County office telephone numbers in a PDF format (i.e. addresses & telephone numbers) in order to be more accessible for everyone.

IN RE: MADISON E-911 CENTER

Robert Finks, E-911 Coordinator, was present and thanked everyone for the telephone calls, prayers and visits during his recent medical absence.

Robert Finks provided reports for August and September 2007:

AUGUST 2007

475 – E-911 calls with (172) from cell phones and (303) from home phones

SEPTEMBER 2007

471 – E-911 calls with (156) from cell phones and (315) from home phones

Robert Finks advised that both months basically evened out in the total number of calls received; he also advised the County has entered into a grant program with Louisa and Orange Counties which is being provided by the State of Virginia. He advised that Orange County currently serves as a back up for the Madison E-911 Center (calls can be sent to Orange in the event the EOC is down in Madison), however, Orange County does not have the capability to dispatch from the radio system in Madison County; therefore, an application has been forwarded to attain grant funding with Orange & Louisa which will enable Orange and Madison Counties to fully serve as a back up to one another via radio communications.

In closing, he advised there are no guarantees the funding will be awarded; however, since the project is regional, it is felt that Madison, Orange and Louisa Counties have a good chance of being accepted – the program does not contain a match for the County and is a 100% funded grant.

IN RE: EMERGENCY MANAGEMENT SERVICES

Carl Pumphrey, EMS Coordinator, provided a report of all activities for the month of September 2007; he also provided an overview of the two (2) hazmat calls during the month:

1. Roofing operation (individual had an asthma attack after coming in contact with chemicals being used – individual was treated and released;
2. Rupture of a hose on a pressurized container (five [5] employees were exposed and were checked by volunteer rescue staff – individuals declined transport and all appeared to be ok.

IN RE: MADISON EMERGENCY MEDICAL SERVICES

Lewis Jenkins, EMS Coordinator, provided the following report for August and September 2007:

August 2007

1. Total Calls toned: 86
2. Total calls handled: 67
3. Total calls no response (17) Greene calls for mutual aid assistance were not answered due to no available staff; (2) calls were cancelled by 1st responders
4. Average in-County response time to the scene: 11 minutes
5. Night coverage: Eleven hours of night coverage on (17) nights
6. Total calls handled: 16

September 2007

1. Total calls toned: 91
2. Total calls handled: 86
3. Total calls, no response: (5) Greene calls for mutual aid assistance were not answered due to no available staff
4. Average in-County response time to the scene: (8) minutes
5. Night coverage: Eleven hours of night coverage on (14) nights
6. Total calls handled: 10

Lewis Jenkins stated calls from Greene County for mutual aid have decreased substantially – a second crew was added in Greene County to cover their calls; he also advised that Robin Clark and Richard Gunick completed the International Trauma Life Support Instructors course in September – he stated they are hoping to have enough people to be able to offer that course in-house in the future so there should be no cost to bring someone in to provide the course to EMS staff.

Lewis Jenkins stated there were calls during the month in the Middle River Retreat area which caused a delay in response times.

IN RE: MADISON SHERIFF'S DEPARTMENT

Erik Weaver, Sheriff provided the following report for the month of September 2007:

1. Calls for service: 784
2. Criminal arrests: 67
3. Civil process served: 365
4. Days in Court: 13
5. Animal Control: 73 (prior to recent rabies outbreak in County)

Erik Weaver, Sheriff advised that Bill Eanes of the Culpeper Office, has been hired as the part-time DARE Officer for Madison County; stated a DARE Program will be offered in the Madison Primary School, Wetsel Middle School and Madison County High School – will begin tomorrow (10/10/07) at the primary school; he advised there have been several Church break-ins in the Oak Park area – recent leads have been helpful and it is anticipated these cases will be closed within the next few weeks that have involved several juveniles and adults.

In closing, Erik Weaver stated the recent incident involving the plane crash brought all County offices together as a part of a joint effort and advised the Board that letters have been forwarded to all outside agencies who assisted Madison County with the incident.

Clark Powers stated he was in the presence of relatives of the victims of the plane crash and they had nothing but words of praise for the manner in which the incident was handled by Madison County personnel (i.e. emergency services, sheriff, fire department and volunteer services).

has been hire

IN RE: MADISON VOLUNTEER RESCUE SQUAD

Chairman, Eddie Dean provided the following report for the month of September 2007:

46 patient emergencies

2 Stand-by (tractor pull, football game)

48 total calls

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment; he also advised that concerns previously discussed pertaining to dogs are being addressed at the present time; however, the Board does not have any finalized details to present at this time.

Jim O'Reilly was present and verbalized concerns about dogs on Route 662 and advised that he and his wife almost had an encounter with another dog during the past week; he also read an excerpt from a letter that he forwarded to the Board regarding a recent incident; he also thanked the Board for working on the "dog problem" in Madison County. In addition, he stated there is an increasing amount of traffic and wanted to make a point that a dog who demonstrates behavior such as the one he referenced in his letter should be considered "dangerous to the health and safety to the public" – he also referenced the contents in the Orange County Animal Control Ordinance. In closing, Mr. O'Reilly stated he did converse with the owners of the dog and they were very thankful to be made aware of the dog's behavior.

Bob Kane was present and presented concerns over comments pertaining to the development of a "leash law" and the extreme cost such a law would cost the County would have to absorb in hiring additional law enforcement to enforce such a law and there would probably not be any significant reduction in the number of dogs found to be running loose. Additionally, Mr. Kane stated if dogs chase cars they will either "get clipped" or refrain from such behavior; he stated the County's Ordinance addresses dogs that are found to be a nuisance or bit individuals. Additionally, Mr. Kane stated he feels the County's Ordinance follows guidelines as established in the State of Virginia and strongly urged the Board to be very careful in the event consideration is being given to adopt a County 'leash law.'" In closing, Bob Kane referenced a comment made by James L. Arrington during a past meeting with regard to the fact that the County cannot adopt an Ordinance that will not be readily enforced. In closing, he referenced that he was not aware of any surrounding localities that have a "leash law" and asked V. R. Shackelford, III, County Attorney about his findings; he also stated "this is a rural County" and the

Board should be very conscience of that fact when considering changes to the existing animal control codes.

V. R. Shackelford, III, County Attorney stated he has collected copies of Animal Control Ordinances for several of the surrounding localities and they are available for viewing at the Madison County Board of Supervisors Office located at 302 Thrift Road in the Town of Madison.

Jim O'Reilly stated there has not been any interest noted in the formulation of a leash law.

IN RE: CRIGLERSVILLE ELEMENTARY SCHOOL (STATUS)

Chairman, Eddie Dean made reference to documentation that has been compiled by Lisa Kelley, County Administrator regarding all action taken by the Board with regard to the Criglersville Elementary School property; he also stated there are three (3) separate lots that make up the property with lots A and B being the larger lots and non-conforming with Lot C being listed as one (1) acre. He stated a survey has been suggested because it is felt that Lot C is not actually one (1) acre and a survey will provide an accurate account of the acreage of the property.

Chairman, Eddie Dean stated there are conditions in the County's Zoning Ordinance with regard to non-conforming lots; he stated the property is zoned as A-1 at the present time with a designation in the Comprehensive Plan that denotes the property as agricultural. He stated there has been some mixed use of the property; however, the "mixed use" designation expired a couple of years ago and the property is longer able to be "grandfathered."

Chairman, Eddie Dean stated the school building was constructed between 1948 and 1951 and has had no major renovation; the assessed value of the structure in 2004 (while being utilized as a school) was \$439,100.00 – the school building is situated twenty-eight (28") inches below the floodplain; there is 17,865 square feet of space with 11.7000 square feet on the 1st floor and 6.15 square feet on the second floor of the structure. He stated there is a shallow well which is less than fifty-feet (50') from the septic tank; additionally, the septic and drain field is below the water table and there is pavement over the drain field; and there is no fire suppression, airways and corridors

need to be enclosed to accommodate egress and ingress; the building is not handicap accessible; heating is provided by a steam boiler which is outdated and condition of boiler and piping is very poor; the electrical system is outdated and in poor condition and there is no air conditioning. In closing, Chairman, Eddie Dean advised the estimated cost to bring the building up to current code is \$600,000.00 to \$650,000.00.

Chairman, Eddie Dean advised the Board has had several studies performed on the structure:

1. An inspection was performed by Oliver, Webb, Pappas and Rudy located in Blacksburg, Virginia as requested by the Madison County School System;
2. A report was performed by Wes Smith, Madison County Building Official that analyzed the soundness of the structure;
3. A report was conducted on the drinking water at the facility;
4. A survey was performed on the groundwater at the facility;
5. A report was performed by Lindsay Studios, LLC located in Charlottesville, Virginia which contained recommendations for different uses (i.e. mixed use, community center, satellite location, town center, multi-family residences, assisted living, etc.)
6. A report was conducted by the Madison Health Department which indicated concerns regarding the sewer system and well at the facility;
7. A letter was provided from the Madison County School System revoking the waterworks operations permit at the facility;
8. Recommendations were provided from the Madison County Director of Facilities & Maintenance;
9. A letter was presented to suggest the facility be used for future communication towers;
10. A letter was provided from Andy Mank (former Capital Projects Coordinator) regarding future uses for the facility and a breakdown of what it might cost to bring the facility up to current code.

Chairman, Eddie Dean advised the final figure on cost would depend on the use of the structure.

Chairman, Eddie Dean advised the Board has reviewed all documentation and comments regarding the future of the facility very carefully and there have been numerous letters suggesting various alternatives for the Criglersville Elementary School.

Chairman, Eddie Dean stated the minutes contain statements made regarding the Board's intention to sell this piece of property; however, the offer on the property was rejected and there have been other expressions of interest in the sale of the property. However, the Board has not made any definite plans for the future of Criglersville Elementary School.

In closing, Chairman, Eddie Dean asked if there were any suggestions to come before the Board at this time.

Bob Miller stated he feels one of the unanswered questions pertains to where the actual property lines are situated; he suggested the issue of performing a survey as discussed during a past Workshop Session in order to determine where the actual property lines are located.

Clark Powers stated he was in agreement with the comments being discussed pertaining to the Criglersville Elementary School.

James L. Arrington asked for clarification as to what benefits the survey will provide with regard to the future of the Criglersville Elementary School.

Bob Miller stated there is an issue with setback of the road frontage at the property and also on the eastside of the property; additionally, the County is unsure as to exactly how much acreage is contained in all of the parcels and concerns that the school building and guidance building straddle the property line. In closing, he stated the aforementioned issues will determine the manner in which the property can be utilized – a survey will resolve these concerns and answer questions that are unknown at the present time. He stated he did not feel a survey will cost as much as some would think due to the property consisting of wide open land; he also advised there is no need to discuss the future of the facility when there are questions pertaining to the frontage and acreage of the property when this information is not yet known.

Lisa Kelley, County Administrator also suggested along with the requested survey work, the Board include an option in the scope of work that will allow the Board to request the surveyor prepare information and allow for a lot consolidation plat should the Madison County Board of Supervisors desire to sell the property in the future. In closing, she stated the survey may show more than three (3) acres of land which will also afford a few more options.

After discussion, on motion of Bob Miller, seconded by Clark Powers, the Board voted to move forward with having a survey performed on the Criglersville Elementary School property to determine the actual property line and size of all parcels, and also include the aforementioned option as verbalized by Lisa Kelley, County Administrator with regard to allow for a lot consolidation in the event the Board desires to sell the property in the future, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

Bob Miller commented on the matrix that was provided by Lisa Kelley, County Administrator with regard to the Criglersville Elementary School.

Lisa Kelley, County Administrator stated there were concerns over the various uses for the property.

Bob Miller asked if an advertisement will be needed should the Board decide to utilize a realtor to market the Criglersville Elementary School property.

Lisa Kelley, County Administrator explained the procurement act.

James L. Arrington verbalized concerns about the prospective considerations for the facility and also suggested the Board explore keeping the portion of the property near the river (i.e. recreational resource).

Bob Miller strongly suggested the marketing effort move forward; he also asked if an obligation would be involved when utilizing a realtor.

V. R. Shackelford, III, County Attorney stated that a realtor will need to be advised of exactly what the County intends to market.

Bob Miller stated the County will be unable to retain any portion of the

property as it is currently listed as non-conforming lots.

Chairman, Eddie Dean verbalized concerns about the Board's recent rejection of an offer and what effects, if any, will be brought forth now that a decision has been made to market the property.

Lisa Kelley, County Administrator advised that although the Board may hire someone to market the property, the Board still has the right to reject any offer(s) made on the property if so deemed or if course of action changes.

Bob Miller stated he feels the building has some asset to the County and would be delighted if the County could retain a portion of the property; however, due to the noted technical constraints on the property, he doesn't feel this can be accomplished. Additionally, he stated he has an idea that could be a solution although he is not prepared to discuss it at the present time. He also feels a long-term dividend will be necessary in order to consider the property an asset on the County's tax roll in some fashion. He stated although several citizens will be heartbroken, the property does have technical constraints that cannot be overlooked; however, he feels one of the offers that has been verbalized will greatly assist in creating a tax dividend for the County. He stated the County has made a serious decision to utilize funding in ball fields for recreational purposes at the Hoover Ridge Property (primary recreational facility). He stated there is an asset in the building at Criglersville which is significant and he feels the County has a responsibility to help get it back on the tax roll as an asset if at all possible rather than destroy it or let it deteriorate any further.

Chairman, Eddie Dean asked if there was a minimum lot size for properties designated as B-1 and M-1.

Lisa Kelley, County Administrator stated there are no minimum lot size requirements for either; however, she feels there may be frontage concerns for B-1. She stated based on the deed research that is in place, there does not appear to be any easement conditions present with regard to Lot A.

V. R. Shackelford, III, County Attorney stated he feels the major issue is the fact that the building sits in a flood plain.

Chairman, Eddie Dean stated the Board has discussed some definite options for the building and perhaps it is time to advertise the structure to be marketed.

Clark Powers stated that athletic teams utilize the grounds during the spring through fall and feels there is still a great deal of attraction for this type of activity in the Criglersville area.

Chairman, Eddie Dean stated there has been documentation received from the Director of Parks & Recreation to indicate the park at Criglersville Elementary School is no longer the interval use park and is only utilized in the case where there is an absolute field shortage or for a team trying to schedule an additional practice at any available location; otherwise, activities are now being conducted at the Hoover Ridge Property.

Bob Miller stated he received telephone calls from citizens involved in recreational sports and the possibility of using Criglersville Elementary School and he feels that as conditions improve at Hoover Ridge, citizens will come to enjoy the property even more.

James L. Arrington verbalized concerns about the athletic fields at Criglersville Elementary School have a particular attraction to the citizens that live in the vicinity of Criglersville and feels this is something the Board can't overlook.

Chairman, Eddie Dean stated he feels the facility is favored as "community use" rather than actual park & recreational usage.

James L. Arrington stated he feels the Board is moving in the right direction regarding the facility; he feels once the survey is underway, the Board can move forward with entrusting a realtor to properly market the structure and the plans will all mesh into place. In closing, he stated the County is unable to market the property because of the various conflicting rules regarding zoning conditions.

After discussion, on motion of Bob Miller, seconded by James L. Arrington, the Board voted to authorize Lisa Kelley, County Administrator forward with the process to market the Criglersville Elementary School, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean reiterated the fact that although the Board is putting out a request to contact a realtor to effectively market the property does not mean the County has decided to sell – the Board is merely looking at all available options.

IN RE: HOOVER RIDGE BALL FIELDS (BIDS RECEIVED)

Lisa Kelley, County Administrator advised that five (5) bids were received for the Hoover Ridge Ball fields with the low bid totaling \$772,000.00. She also stated that Ross Shifflett, Director of Facilities & Maintenance presented a proposal to the Madison County School Board regarding use of the well at the Madison Primary School; the School Board endorsed the proposed usage initially and presented the information at their monthly Board meeting last evening.

James L. Arrington asked if the bid will include water for the irrigation plan.

Lisa Kelley, County Administrator advised the aforementioned item will be included in the bid.

IN RE: KEMPER MANSION

James L. Arrington asked for an update on the Kemper Mansion.

Lisa Kelley, County Administrator stated renovations are moving forward; REWORK, Inc. has been awarded the contract as the sole bidder and Turner Construction Company is the sub-contractor for the project.

James L. Arrington stated that John Hunton, Capital Projects Coordinator is working with Christopher Owens on finalization of detailed work for the project and wondered about the outcome.

Lisa Kelley, County Administrator advised the pricing was better than anticipated – the original bid price submitted by Christopher Owens was \$42,000.00; however, after negotiations, the pricing has been lowered to \$38,000.00 – she stated they are now looking to develop a bid for painting and feels this will be initiated as an add on as the painting contractor will need to be included as a sub-contractor for this work but will need; overall, the pricing for the project will be well within the budget as approved by the County.

IN RE: MADISON TRANSFER STATION

Bob Miller stated the Board has previously discussed the rezoning of the Madison Transfer Station to M-1 which will allow for alternative use conditions at the site (i.e. proffers and setbacks will be required).

Lisa Kelley, County Administrator advised this will require rezoning of the site around the edges of the property in order to “protect the neighbors.”

Bob Miller advised there are plans in the works to perhaps utilize the facility for light industrial purposes in the future.

Clark Powers stated that Greene County has an industrial park that is also utilized by the local Sheriff’s Department.

Bob Miller suggested the Board review the conditions in the special use permit and whether these conditions would automatically transfer to the new zoning criteria.

Lisa Kelley, County Administrator advised the conditions will perhaps give some insight as to the concerns expressed by the neighbors when the Transfer Station was first developed.

V. R. Shackelford, III, County Attorney suggested the Board review the background behind the Transfer Station.

James L. Arrington asked if there was any update on the gun range.

Chairman, Eddie Dean advised that all data on the range has not been completed at this time.

Bob Miller asked V. R. Shackelford, III, County Attorney if it would be too early to discuss ideas at the upcoming Workshop Session regarding the Transfer Station (i.e. special use conditions).

V. R. Shackelford, III, County Attorney asked if the Board would only like to rezone a portion of the property excluding the wells; he stated a large portion of property was purchased in the location and only a portion was to be utilized as a landfill – he suggested the Board refrain from disturbing the site. Additionally, V. R. Shackelford, III, County Attorney stated the County is fully aware of the current boundaries and where all the wells are located at the site.

Chairman, Eddie Dean stated he did not feel the County will be able to change anything regarding the wells and boundaries and feels a paved road will be needed in order for the County to utilize some other portion of the property and refrain from disturbing the wells.

In closing, Chairman, Eddie Dean stated he feels the Board will have to look at an alternate area of the property that lies beyond the actual property being utilized as the "Transfer Station." Additionally, he stated if access was provided to the 200+ acres that sit to the rear of the Transfer Station, he was unsure as to what type of frontage would be required in order to utilize a portion of the property.

Lisa Kelley, County Administrator suggested that she meet with Betty Grayson, Zoning Administrator and Ross Shifflett, Director of Facilities & Maintenance to perform a work-up of the advantages versus the disadvantages of proceeding with utilizing some of the additional property located to the rear of the existing Madison Transfer Station.

IN RE: MINUTES

Chairman, Eddie Dean stated the Board needed to approve Minutes #32, 33, and #34.

After discussion, on motion of Bob Miller, seconded by Clark Powers. Minutes #32, #33 and #34 are approved as presented and spread in Minute Book #15, page through , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean suggested the Board discuss the PDR and Finance Committee during the evening session at 7:30 p.m.

Chairman, Eddie Dean asked about discussion of the bids, to which V. R. Shackelford, III, County Attorney advised should be accomplished during closed session.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and advised the Board will go into closed session and then recess for dinner. There was no public comment made.

IN RE: EXECUTIVE SESSION

On motion of Bob Miller, seconded by Clark Powers, the Board voted to go into Executive Session to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act – this subject and purpose falls within the following exemption: Competitive Bids, 2.2-3711(A) (6) Pertaining to the Hoover Ridge Ball Fields, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

On motion of Bob Miller, seconded by James L. Arrington, the Board voted to go back into open session with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

On motion of Bob Miller, seconded by Clark Powers, the Board took roll call to certify that nothing was discussed which was not authorized by the Code of Virginia and that the following Resolution is adopted with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

MOTION: Bob Miller

RESOLUTION NO: 2007-13

SECOND: Clark Powers

MEETING DATE: October 9, 2007

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Madison County Board of Supervisors has convened an

executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Madison County Board of Supervisors.

VOTE

AYES, Eddie Dean, James L. Arrington, Bob Miller, Clark Powers

ABSTAIN: None

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the act should be described)

ABSENT DURING VOTE: William L. Crigler

ABSENT DURING MEETING: William L. Crigler

Clerk/Secretary of the Madison County Board of Supervisors

No action was taken

On motion of Bob Miller, seconded by James L. Arrington, Chairman,
Eddie Dean recessed the meeting until 7:30 p.m.

7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment.

A resident was present and asked if there was discussion about dogs and cats during the afternoon session.

Chairman, Eddie Dean stated there was discussion regarding animals

during the earlier session from two (2) citizens; he also stated the Board has no further information to report to the citizens regarding this issue at the present time.

James R. Hale was present and asked about the future of the Criglersville Elementary School.

Chairman, Eddie Dean advised there has been no change in the status of the Criglersville Elementary School and the Board has voted to have the property surveyed in order to learn exactly what amount of space is there and what exists on the riverside of the property; there has also been discussion to secure a realtor to effectively market the property; however, no decision has been made to date as to whether to sell, divide or rezone the property.

In closing, Chairman, Eddie Dean advised the Board has gathered a lot of information over the past several years, but no further progress has been made in this area.

James R. Hale asked if the County thought about dividing the property up into three (3) or four (4) lots.

Chairman, Eddie Dean stated the property is zoned as A-1 and the three (3) lots at the property are non-conforming; he stated if boundary adjustments were made by the Board, one (1) lot could possibly be made into conforming but two (2) lots will still be non-conforming; he also stated an outbuilding is situated on two (2) different parcels. As a result of these situations, the Board has decided to have the property surveyed in order to assess what other options may be available to the County.

IN RE: PUBLIC HEARING ON COUNTY ORDINANCE

Lisa Kelley, County Administrator stated the County has followed a local Ordinance that adopted the states' traffic regulation that allows local law enforcement to cite traffic violations by utilizing the local ordinance. She stated the former Ordinance was adopted in 1998; however, the Sheriff's Department and the Commonwealth Attorney's Office have recently been experiencing some difficulty due to the Judge verbalizing concerns about the manner in which traffic citations have been completed in that there is no local ordinance number referenced on the tickets/summons (i.e. section, chapter number).

Lisa Kelley, County Administrator advised numbering has been initiated

on all local ordinances this year in order to keep better track of the various ordinance. In lieu of this factor, the ordinance has been updated to include the County's local ordinance that adopts the states' traffic license code that authorizes local law enforcement (sheriff and deputy) to issue citations according to Virginia State Code. She provided an overview of each section of the state code as referenced in the ordinance and the fact the Ordinance will not have to be adopted each time the state code is amended.

In closing, she recommended the Madison County Board of Supervisors pass the Ordinance, as it has been reviewed by George S. Webb, III, Commonwealth Attorney and by V. R. Shackelford, III, County Attorney.

V. R. Shackelford, III, County Attorney also indicated that adopting said Ordinance will in turn provide significant revenue concern for the County.

V. R. Shackelford, III, County Attorney advised Erik Weaver, Sheriff of the fact the Judge has indicated that local deputies and law enforcement must include the Ordinance number on all citations that are written in order for enforcement to be completed.

Erik Weaver, Sheriff advised there have been concerns in the past regarding the prior Ordinance not having a number.

After discussion, on motion of James L. Arrington, seconded by Bob Miller, the Board voted to adopt an Ordinance to Regulate the Operation of Vehicles on the Highways of the County of Madison, Virginia, Incorporating by Reference Provisions of Virginia's Motor Vehicle Statutes, Ordinance No 2007-6, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**AN ORDINANCE TO REGULATE THE OPERATION OF VEHICLES ON THE
HIGHWAYS OF THE COUNTY OF MADISON, VIRGINIA, INCORPORATING
BY REFERENCE PROVISIONS OF VIRGINIA'S MOTOR VEHICLE STATUTES
ORDINANCE NO. 2007-6**

Pursuant to the authority of Sections 46.2-1300, 46.2-1313 and 1-220 of the Code of Virginia (1950), as amended, all of the provisions and requirements of the laws of the Commonwealth of Virginia, Title 46.2, of Article 9 (§16.1-278 et seq.) of Chapter 11 of Title 16.1; and of Article 2 (§18.2-266 et seq.) of Chapter 7 of Title 18.2, as in force and effect on July 1, 2007, including any future amendments to those statutes which may hereafter be enacted by the General Assembly, are hereby incorporated into this ordinance by reference and adopted, mutatis mutandis, and made a part of this ordinance as if set forth herein verbatim, with the exception of those provisions and requirements which, by their nature, can have no application to or within the County of Madison, Virginia. References to highways of the "state" or "commonwealth" contained in the provisions and requirements adopted by this ordinance shall be deemed to refer to the streets, alleys, roads and other ways or places open to the use of the public for vehicular travel within the County of Madison, Virginia. It shall be unlawful and punishable as set forth within the provisions and requirements adopted by this ordinance for any person within Madison County, Virginia, to violate, fail, neglect or refuse to comply with such provisions and requirements; provided, however, that in no event shall the penalty imposed for the violation of any provision or requirement adopted by this ordinance exceed the penalty imposed for a similar offense under the Code of Virginia (1950), as amended, Title 46.2, of Article 9 (§16.1-278 et seq.) of Chapter 11 of Title 16.1; or Article 2 (§18.2-266 et seq.) of Chapter 7 of Title 18.2.

THIS ORDINANCE IS ADOPTED this 9th day of October, 2007, by the Board of Supervisors of Madison County.

Eddie Dean, Chairman, Eddie Dean
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u> x </u>	_____	_____	_____
James L. Arrington	<u> x </u>	_____	_____	_____
William L. Crigler	_____	_____	_____	<u> x </u>
Bob Miller	<u> x </u>	_____	_____	_____
Clark Powers	<u> x </u>	_____	_____	_____

Attest: _____
Lisa R. Kelley, County Administrator/Clerk to the Board

IN RE: PROPOSED PDR & FINANCE COMMITTEE

Chairman, Eddie Dean stated the Board has received information on six (6) applicants who have expressed an interest in serving on the PDR Committee; he stated he feels the Board should also exercise the right to add additional members by suggestion of existing committee members or an individual Board member.

James L. Arrington stated he was in agreement with Chairman, Eddie Dean and also feels the Board should move forward with the formulation of the PDR Committee – he stated he feels the pool of applicants is outstanding.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board voted to nominate the listed applicants to include:

1. Susan Cable
2. Peter Rice
3. Ralph Yowell
4. Joe Johnson
5. Jacki Eisenberg
6. Kim Johnson Smith

with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

Bob Miller asked if the Board should include a comment regarding partnering.

Lisa Kelley, County Administrator advised the Board can always come back at a later time and make adjustments to the committee.

Chairman, Eddie Dean suggested the Board look for additional applicants to be considered for the Finance Committee and add this topic as an item for discussion during the upcoming November Regular Meeting.

Lisa Kelley, County Administrator suggested the Board specify a date for the members of the PDR Committee to meet or establish an assigned period for them to become a working body.

Chairman, Eddie Dean suggested the newly appointed committee members be invited to attend the Board Workshop Session to discuss issues and move forward from that point.

Lisa Kelley, County Administrator advised the advertisement that was published spoke of a six-month period – she stated if the Board desired to change this, it can be done at a later time.

Bob Miller suggested the committee be allotted ample time to prepare information – the time frame of six months should be adequate.

IN RE: HOOVER RIDGE BALL FIELDS

After earlier discussion on the five (5) bids that were presented for the Hoover Ridge Ball fields, on motion of James L. Arrington, seconded by Clark Powers, the Board adopted the low bid of \$772,000.00 presented for improvements to the ball fields and also authorize Lisa Kelley, County Administrator to negotiate contracting information, pending legal review of the proposed contract, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

With no further action being required by the Board, on motion of James L. Arrington, seconded by Clark Powers, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Aye
Clark Powers	Aye

Date: October 10, 2007